

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION**

PEOPLE OF THE STATE OF ILLINOIS,)	
Plaintiff,)	
)	No. 20 CV 50097
v.)	(State Court Case No. 20 CM 113)
)	Judge Iain D. Johnston
GREGORY BABE,)	
Defendant.)	

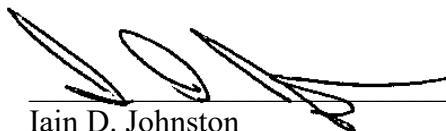
ORDER

Before the Court is Judge Jensen’s Report and Recommendation that this criminal matter be removed to this court [48]. Under 28 U.S.C. § 1442(a)(1), a criminal prosecution may be removed from state to federal court if it involves the “United States or any agency thereof or any officer . . . in an official or individual capacity, for or relating to any act under color of such office . . .” In addition, the defendant must have a colorable federal defense. *See Baker v. Atlantic Richfield Co.*, 962 F.3d 937, 941 (7th Cir. 2020). The parties have stipulated that the criminal matter against defendant Gregory Babe involves his work as an officer of the U.S. Transportation Security Administration, which he was authorized to undertake, and which is casually connected to the charged conduct. Dkt. 47. The parties also stipulate that Mr. Babe has a colorable federal defense, specifically the Supremacy Clause of the U.S. Constitution. *Id.*

In light of the stipulations, the Court accepts Judge Jensen’s Report and Recommendation [48], and grants the federal government’s request that the case be removed [1]. The clerk is directed to forward a copy of this minute entry to the 17th Judicial Circuit Court of Winnebago County notifying it that removal was permitted and that no further action shall be taken in state court. See 28 U.S.C. § 1455(b)(5). The clerk is further directed to assign this matter a criminal case number, and then to terminate this civil case. Counsel shall file appearances in the criminal matter by 10/25/2021.

Date: October 20, 2021

By:



Iain D. Johnston
United States District Judge